

# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Governmental and Regulatory Affairs, to which was referred House Bill No. 1138, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1       Page 7, delete lines 19 through 42, begin a new paragraph and
- 2       insert:
- 3       " SECTION 7. IC 8-1.5-5-4.5 IS ADDED TO THE INDIANA
- 4       CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5       [EFFECTIVE UPON PASSAGE]: **Sec. 4.5. (a) This section applies**
- 6       **to a county.**
- 7       **(b) If the county executive adopts the provisions of this chapter**
- 8       **by ordinance, a department of storm water management is**
- 9       **established and is controlled by a board of directors.**
- 10       **(c) An ordinance adopted under this section shall provide for**
- 11       **the appointment of either:**
- 12               **(1) the members of the county executive and the county**
- 13               **surveyor (or the surveyor's designee); or**
- 14               **(2) the drainage board for the county;**
- 15       **as the board of directors of the department.**
- 16       **(d) The term of office of a member of the board who is**
- 17       **appointed from the membership of the county executive or the**
- 18       **drainage board is coextensive with the member's term of office on**
- 19       **the county executive or the drainage board. If the county surveyor**
- 20       **or the surveyor's designee is appointed under subdivision (1), the**
- 21       **term of the surveyor or designee as a member of the board is**

1 coextensive with the surveyor's term of office.

2 (e) A member of the board of directors of the department of  
 3 storm water management appointed under this section is not  
 4 entitled to a salary or per diem for serving as a member of the  
 5 board of directors of the department of storm water management.  
 6 However, a member shall be reimbursed for necessary expenses  
 7 incurred by the member in the performance of official duties."

8 Page 8, delete lines 1 through 19.

9 Page 8, line 29, delete "county, except" and insert "**county that is**  
 10 **not located in a municipality.**".

11 Page 8, delete lines 30 through 31.

12 Page 9, line 17, delete "district." and insert "**district, except as**  
 13 **provided in IC 36-9-27.**".

(Reference is to HB 1138 as reprinted February 25, 2002.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 8, Nays 1.

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**Senator Merritt, Chairperson**